BRIAN J. STRETCH (CABN 163973)
United States Attorney

BARBARA J. VALLIERE (DCBN 439353)
Chief, Criminal Division

ELISE BECKER (NYBN 2540730)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-6878
FAX: (415) 436-7234
Elise.Becker@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. ISLAM SAID NATSHEH, Defendant.	CR 16-00166 RS UNITED STATES' SENTENCING MEMORANDUM Sentencing Hearing Date: December 13, 2016 Hearing Time: 2:30 p.m. Honorable Richard Seeborg

INTRODUCTION

This matter is scheduled for sentencing following defendant ISLAM SAID NATSHEH's (Natsheh) open plea to the felony information charging him with attempted material support to a designated foreign terrorist organization, ISIL. The government agrees with the Probation Officer's summary of the offense conduct and the Guidelines calculation. The government agrees that the defendant should be sentenced to 30 years, but disagrees with the lengths of their recommended terms of imprisonment and supervised release. Instead, the government submits this sentencing memorandum in support of its request that the Court sentence Natsheh to a term of imprisonment of 15 years. This recommended sentence is below the statutory maximum penalty, and is consistent with sentences

imposed after guilty pleas in similar cases around the country. A 15-year term of supervised release to follow is essential to ensuring the defendant does not endanger the community following his release.

ARGUMENT

I. The charges

Natsheh was arrested on a criminal complaint on December 29, 2015, charging him with a violation of 18 U.S.C. § 2339B, attempted material support to a designated foreign terrorist organization.

On April 22, 2016, Natsheh waived Indictment and agreed to the filing of an Information charging him with the same offense as the complaint.

Natsheh pleaded guilty to the Information on July 26, 2016. Sentencing is now scheduled on December 13, 2016.

II. Defendant's background

Natsheh is 21 years old. Presentence Report (PSR) p. 2. He is a United States citizen, born in New York, and who has resided in New York and in California. *Id.* Prior to his arrest, he lived with his father and stepmother. PSR ¶ 44. Natsheh worked full time since approximately June 2011 through his arrest. PSR ¶¶ 57-61. He also completed high school and a few semesters of college. PSR ¶¶ 54-55. Natsheh is fluent in English and in Arabic. PSR ¶ 56.

III. The underlying conduct

As set forth in the criminal complaint and the PSR, law enforcement became aware of Natsheh in February 2015, when an individual reported to the FBI that Natsheh was using Facebook and Twitter to post comments in support of ISIL. PSR ¶ 7. One example of Natsheh's support of ISIL's extreme violence was his sharing of the video of the burning alive of captured Jordanian pilot Muath al-Kasabeh. *Id.*

Law enforcement spoke with Natsheh in early August 2015. *Id.* At that time, Natsheh confirmed the identity of his Facebook and Twitter accounts, and acknowledged his posting of the execution video described above. *Id.* Natsheh stated that he believed the pilot got what he deserved, explaining that Natsheh is Palestinian and believes in the "cause." *Id.* Nevertheless, Natsheh told law enforcement that he had changed his ways in the past couple of months; that he was no longer consumed

with the war; that he had become militant toward his cause with Palestine, but believed the best thing he could do was to get educated and spread awareness. *Id.* Natsheh denounced holding any radical beliefs; he denied having any intention to commit an act of violence against the United States or other government; and he denied ever being contacted online in an attempt to be recruited by a terrorist organization. *Id.*

A few weeks after this interview, law enforcement was notified by the Spanish Guardia Civil that a radicalized Spanish female was in communication with an individual whose contact information matched Natsheh's social media handles and cell phone number. PSR ¶ 8. The Spanish female was subsequently arrested when she attempted to travel from Spain to Turkey for the purpose of joining ISIL. *Id.*

On December 25, 2015, law enforcement learned that Natsheh had purchased two round-trip airline tickets from San Francisco International Airport to Turkey, via Amsterdam. PSR ¶ 9. The flight was intended to take place three days later, on December 28, 2015. *Id.* Turkey is considered by law enforcement to be a known transit country for individuals seeking to travel to Syria and Iraq to join ISIL.

Law enforcement later learned that Natsheh purchased the round-trip tickets for himself and an intended minor male travel companion. *Id.* The tickets were purchased with a credit card which Natsheh opened one month prior to the trip, and the tickets were purchased approximately one week later. *See* PSR ¶ 10. The credit card was only ever used to purchase these two tickets. *Id.* Natsheh later admitted that he purchased round trip tickets, even though he intended to make a one-way trip to Syria, in order to raise less suspicion. *Id.*

Natsheh arrived at the airport on December 28, 2015, checked in for his flight, passed through security, and was stopped by law enforcement after he scanned his boarding pass at the gate. PSR ¶ 9. Natsheh initially stated that he was traveling to Istanbul to visit two cousins who were studying there. *Id.* He provided various details about his trip, denying his intent to travel to Syria. *Id.* The interviewing agents then confronted Natsheh about his inconsistent statements and the information they had from the Spanish authorities. *Id.*

Natsheh then admitted that he intended to travel to Syria to fight with ISIL to help the people of Syria. *See Id*. Natsheh was allowed to leave the airport and was arrested at his residence the next day. PSR ¶ 11. Subsequent to his arrest, he made additional statements to law enforcement in which he again confirmed his intentions to fly to Syria to fight with ISIL. *Id.* Natsheh confirmed his intentions both orally and in writing, specifically stating that he wanted to fight for ISIL and that he knew it was a designated foreign terrorist organization. PSR ¶¶ 10-11. A review of Natsheh's social media accounts on December 28, 2015, included a profile picture of an ISIL flag, in addition to a street sign with ISIS written on it. PSR ¶ 8. The caption "May Allah not bring me death until he kills a Kaffir through me!" and "Land of the Filths" was also written on the caption. *Id.* A "Kaffir" is an Arabic term sometimes used to describe individuals who do not follow Islam. *Id*.

IV. Sentencing Guidelines and statutory maximum penalties

The statutory maximum penalty for a violation of 18 U.S.C. § 2339B is 20 years' imprisonment. Pursuant to 18 U.S.C. § 3583(j), a maximum term of lifetime supervised release can be imposed.

The government agrees with the Guidelines calculations set forth in the PSR. ¶¶ 16-25. They are as follows:

1. Base offense level:	+26 (USSG § 2M5.3)
2. Specific offense characteristics	+2 (USSG § 2M5.3(b)(1))
3. Terrorism Adjustment	+12 (USSG § 3A1.4(a))
4. Acceptance of responsibility	-3

Pursuant to USSG § 3A1.4(b), the defendant's criminal history category is VI. Accordingly, the advisory Guidelines range, based on a total adjusted offense level of 37 and a criminal history category VI, is 360 to life.

V. The government's sentencing recommendation

The government recommends that the Court sentence Natsheh to a term of imprisonment of 15 years. This sentence is sufficient in light of the seriousness of the offense conduct, but is not greater than necessary to accomplish the sentencing goals of 18 U.S.C. § 3553.

First, this recommended sentence is below the statutory maximum penalty for this offense. This is important to note in light of the applicable Sentencing Guidelines which result in a sentence of 30

years to life. While the Court can never impose a sentence in excess of the 20-year statutory maximum, the Guidelines calculation is an important starting point for this Court's analysis of an appropriate sentence in this case. Here, the Guidelines call from the highest sentence possible, other than a life sentence, to be imposed in this case.

Second, this recommended sentence recognizes both the seriousness of Natsheh's conduct, in addition to certain mitigating circumstances which would support a sentence below the statutory maximum. In terms of aggravating factors, the defendant's offense and the circumstances surrounding it as set forth in the Criminal Complaint and PSR are extremely serious. Defendant's actions demonstrate his commitment to extremist principles, and his desire to engage in violent acts in furtherance of those extremist principles. These facts show that the defendant's conduct had the very real potential to cause significant harm and loss of life had his flight to Turkey not been prevented. Natsheh was solely responsible for his intended travel to Syria, having purchased the airline tickets to Turkey for himself and a juvenile travel partner on a credit card he opened for this sole purpose. The tickets were purchased several weeks before the intended travel, further demonstrating the premeditation of his plan. He recognized the implications of his conduct so he masked the nature of his trip by pretending it was round-trip. He also supported and attempted to facilitate a juvenile's travel to Syria for the same unlawful purpose. Significantly, Natsheh did all of this just a few months after having been interviewed by law enforcement and denouncing any affiliation with ISIL. Notwithstanding a supportive family with whom he lived in the Bay Area, in addition to steady employment in the North Bay, Natsheh was prepared to leave his entire life behind to fight with ISIL. *See* PSR ¶¶ 57-58.

In terms of mitigating factors, Natsheh did not commit an act of violence on behalf of ISIL, either in the United States or overseas. Therefore, his case can be distinguished from those involving individuals who did, and those who engaged in substantial steps to prepare themselves for combat prior to traveling overseas to join ISIL. Nevertheless, Natsheh completed every step necessary to committing an act overseas. But for being stopped from boarding his flight, Natsheh would have accomplished his goal of joining and fighting on behalf of ISIL. He did not renounce his intent either at the airport or the following day when he was arrested. Therefore, he posed the same threat as a foreign fighter.

While this Court must determine the appropriate sentence based on the defendant's personal history and characteristics, the basic fact of a young male residing in the United States who is radicalized over the Internet, commits to ISIL, and attempts to travel overseas is no longer unusual for our courts to consider. To assist this Court in determining a sentence in this case, the government submits a report summarizing sentences nationwide following convictions for providing material support to terrorist organizations which was submitted by the government in the District of Minnesota. *See* Attachment A (Final Report). As noted in the Final Report, none of the defendants reflected therein committed their crimes after the statutory maximum penalty for a violation of 18 U.S.C. § 2339B was increased to 20 years. Accordingly, any 15-year sentence was in fact a sentence to the statutory maximum. The government submits that Natsheh's conduct falls within the heartland of these similar cases. While many of the defendants in the report received sentences at the statutory maximum, the government recommends here that Natsheh be sentenced below the statutory maximum. Such a sentence recognizes the factual differences in some of the cases, yet sends a strong message to Natsheh and others that this conduct is considered by the Court as being extremely serious, which cannot be forgiven as a crime of immaturity, and can never be repeated. Natsheh must serve a significant amount of time in prison to protect society from any act of violence, to deter Natsheh from ever committing a similar act, either by himself or with others, and to provide Natsheh with the necessary corrective and rehabilitative treatment. *See* 18 U.S.C. § 3553(a). The United States faces a significant threat from terrorists' acts planned or committed by homegrown violent extremists like Natsheh who become radicalized and seek to support groups like ISIL. A substantial sentence here is both just and commensurate with Natsheh's conduct.

//

//

//

//

//

//

//

CONCLUSION

For the reasons sets forth above, the government urges the Court to sentence the defendant to a term of imprisonment of 15 years, followed by a term of supervised release of 15 years.

DATED: December 6, 2016

Respectfully submitted,

BRIAN J. STRETCH
United States Attorney

/s/
Elise Becker
Assistant United States Attorney

ATTACHMENT A

Government's Exhibit

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
District Court File No. 15-049 (MJD/FLN)

UNITED STATES OF AMERICA, Plaintiff, v. HAMZA NAJ AHMED, MOHAMED ABDIHAMID FARAH, ADNAN ABDIHAMID FARAH, ABDIRAHMAN YASIN DAUD, ZACHARIA YUSUF ABDURAHMAN, HANAD MUSTOFE MUSSE, and GULED ALI OMAR Defendants.	**FINAL REPORT TO THE COURT BY THE UNITED STATES CONCERNING SENTENCING NATIONWIDE FOLLOWING CONVICTIONS FOR PROVIDING MATERIAL SUPPORT TO TERRORIST ORGANIZATIONS**

The United States of America, through its attorneys, Andrew M. Luger, United States Attorney for the District of Minnesota, and Assistant United States Attorneys John Docherty, Andrew R. Winter, and Julie E. Allyn, respectfully submits its Final Report on national terrorism sentencings. Several earlier iterations of this Report have been filed by the government. This Final Report includes all sentencings in material support cases found by the government through the date of this pleading, October 31, 2016. The final sentencing included is that of Muhanad Badawi, sentenced on October 19, 2016, following trial in the Central District of California. Other sentencings which are new since the last report are two co-defendants in the Northern District of Illinois, Hasan Edmonds and Jonas Edmonds, who were convicted on pleas of guilty.

The government is aware of no cases pending sentencing in the near future, but will, of course, continue to look for sentencings that may occur between now and the time of

sentencing in these cases. Because no additional sentencings are anticipated between now and November 14, 2016, however, the government is captioning this report its "final" report.

This report summarizes sentencing data from federal cases around the country in which one or more defendants have been convicted of providing material support to a designated foreign terrorist organization. This Final Report provides information about all cases relating to the provision of material support, regardless of the count of conviction or the identity of the foreign terrorist organization.

There is one exception to this attempt at being comprehensive; cases in which the sole count of conviction is a false statements charge, in violation of 18 U.S.C. § 1001, have not been included. That is because those cases can cover offender behavior that is far removed from the provision of material support to terrorists, and the inclusion of false statements convictions would result in this Final Report comparing dissimilar cases.

One-paragraph factual summaries of each case are set forth below. The facts were taken from various sources, including press releases issued by the relevant United States Attorney's Office and the Federal Bureau of Investigation.

The chart that follows the factual summary paragraphs collects for the reader the key items of information about each case, including the defendant's name; the federal judicial district in which the defendant was sentenced; the district court file number, so that readers who are so inclined can further research the case using PACER; the date of sentencing; the aggregate, pronounced, custodial sentence; the lead statute of conviction; whether the defendant's conviction resulted from a negotiated guilty plea or a jury verdict

following trial; and the designated foreign terrorist organization to which the defendant provided material support.

As in earlier reports in this series, sentencing data was taken from district court judgment and commitment orders filed on PACER.

Cases are arranged chronologically by date of sentencing, oldest sentencing first. The oldest sentence in this report is that of defendant Sinh Nguyen, who was sentenced in the Central District of California on June 30, 2014. The most recent sentencing is that of Muhanad Badawi, also sentenced in the Central District of California, on October 19, 2016.

The sentences of 26 defendants are summarized below. There are several features of these cases worth noting:

- Four of these defendants, co-defendants Sohiel Kabir and Ralph Deleon, plus co-defendants Nader Elhuzayel and Muhanad Badawi, were convicted following trial. The other twenty-two defendants all pled guilty.
- Only one defendant, Ralph Deleon, was convicted of violating 18 U.S.C. § 956. In some of the other cases in this Report, a defendant was convicted of violating 18 U.S.C. § 2339A, with the predicate offense for the 18 U.S.C. § 2339A conviction being an 18 U.S.C. § 956 conspiracy. Because these cases only referred to 18 U.S.C. § 956, but did not actually charge 18 U.S.C. § 956, they have not been counted as 18 U.S.C. § 956 sentences. An example of how this fact pattern comes about is presented in the Indictment in *United States v. Mahamud Said Omar*, Criminal No. 09-242 (MJD/SRN), Docket No. 1. In that case, the charging language for the counts alleging a violation of 18 U.S.C.

§ 2339A read as follows: "[Defendant] did knowingly and intentionally conspire with others to provide material support and resources, knowing and intending that the material support and resources were to be used *in preparation for and in carrying out a violation of Title 18, United States Code, Section 956 (conspiracy to kill, kidnap, maim, or injure persons in a foreign country)*, all in violation of Title 18, United States Code, Section 2339A(a)." (Emphasis added.) However, despite being mentioned in the indictment's charging language, such cases do not constitute a violation of 18 U.S.C. § 956, and so are not included in this Final Report as 18 U.S.C. § 956 cases, although they may be included in this Final Report for other reasons.

- Of the 26 defendants, 20 were convicted of violating 18 U.S.C. § 2339B, either standing alone, or in conjunction with other convictions. Of these 20, 14 were sentenced to 18 U.S.C. § 2339B's statutory maximum of fifteen years in prison. (The statutory maximum has since been increased to twenty years, but none of the defendants in this Final Report committed their crimes recently enough to be exposed to the increased statutory maximum penalty.)
- In several of these cases, the defendant was convicted of more than one crime. Those cases are *United States v. Shelton Bell* (number three below); *United States v. Sohiel Kabir and Ralph DeLeon* (number five below)*; United States v. Donald Ray Morgan* (number six below); *United States v. Agron Hasbajrami* (number nine below); *United States v. Ming Quang Pham* (number 12 below); *United States v. Mufid Elfgeeh* (number 13 below); *United States v. Adam*

Dandach (number 18 below); *United States v. Elhuzayel and Badawi* (number 20 below); and *United States v. Hasan and Jonas Edmonds* (number 21 below). In all of these cases but one (*Dandach)*, the sentencing judge imposed a sentence beyond the 180-month statutory maximum on the 18 U.S.C. § 2339A or B conviction.

THE CASES

1. *United States v. Sinh Vinh Ngo Nguyen*, Central District of California, June 30, 2014. Defendant Nguyen traveled to Syria and fought with anti-Assad forces for four months. Upon his return to the United States he expressed a desire to "return to jihad" because that "was what he was born to do." After giving a man he thought was an al Qaeda recruiter (but who was in reality working for the FBI) a photograph of himself and a U.S. passport application containing false information, Nguyen was arrested. Defendant Nguyen was sentenced by Judge John F. Walter to 13 years in prison.

2. *United States v. Gufran Mohammed*, Southern District of Florida, December 17, 2014. Defendant Mohammed wired funds to al Qaeda in Iraq, the al-Nusrah Front, and al Shabaab. Defendant Mohammed also agreed to recruit people to travel overseas and join these designated foreign terrorist organizations. Defendant Mohammed was sentenced by Judge Ursula Ungaro to 15 years in prison, the statutory maximum for a violation of 18 U.S.C. § 2339B. *United States v. Mohammed Hussain Said* is the companion case to this one (see number ten below).

3. *United States v. Shelton Bell*, Middle District of Florida, January 14, 2015. Defendant Bell recruited a juvenile to go with him to join, and fight for, ISIL. After

following a training regimen of their own devising for three months, Bell and the juvenile traveled from New York's John F. Kennedy International Airport to Poland. They then flew from Poland to Israel. Israeli officials arrested the pair and sent them back to Poland. The two then flew to Jordan, where they were again arrested, and this time returned to the United States. Bell entered guilty pleas to two 18 U.S.C. § 2339B counts, one of them attempt, and one of them conspiracy. Judge Timothy Corrigan sentenced Bell to twenty years in prison. Judge Corrigan imposed the fifteen-year statutory maximum for a violation of 18 U.S.C. § 2339B on the 18 U.S.C. § 2339B conspiracy count, and then imposed a sentence of five years' imprisonment, to be served consecutively, on the attempt count. Judge Corrigan also filed a 41-page memorandum explaining his sentence.

4. *United States v. Shannon Conley,* District of Colorado, January 23, 2015. Defendant Conley met an ISIL recruiter online. In an effort to prepare herself to join, and fight for, ISIL, defendant Conley joined a U.S. Army-sponsored Explorer scout group, obtained first aid training, and took firearms training. FBI agents met with defendant Conley multiple times and tried to talk her out of trying to travel to Syria. Defendant Conley was not persuaded, and was arrested at the Denver airport as she tried to board a flight to Turkey. Judge Raymond P. Moore sentenced Conley to 48 months in federal prison.

5. *United States v. Sohiel Kabir and Ralph DeLeon*, Central District of California, February 23. 2015. After a six and-a-half week trial, and six days of deliberation, a jury convicted Kabir and DeLeon of conspiracy to provide material support to terrorists, in violation of 18 U.S.C. § 2339A, and conspiracy to kill officers and

employees of the United States, in violation of 18 U.S.C. § 1117. According to reports in the press, the defendants conspired to travel to Afghanistan and kill U.S. troops there.

As to Kabir individually, the jury found him guilty of conspiracy to provide material support to terrorists, in violation of 18 U.S.C. § 2339A; conspiracy to provide material support to a designated foreign terrorist organization, in violation of 18 U.S.C. § 2339B; conspiracy, in violation of 18 U.S.C. § 371; and conspiracy to kill officers and employees of the United States, in violation of 18 U.S.C. § 1117.

As to Deleon individually, the jury found him guilty of conspiring to provide material support to terrorists, in violation of 18 U.S.C. § 2339A; conspiracy to kill, kidnap, and maim persons in a foreign country, in violation of 18 U.S.C. § 956; and conspiracy to kill officers and employees of the United States, in violation of 18 U.S.C.§ 1117. Judge Virginia Phillips sentenced both defendants to 25 years' imprisonment. In the case of DeLeon, this sentence was composed of a 180-month sentence on DeLeon's 18 U.S.C.§ 2339A conviction (the statutory maximum); and 300 months in prison on each of the two conspiracy to murder charges. All sentences were ordered to be served concurrently.

Defendant Kabir was sentenced to 180 months, the statutory maximum, on each of his material support convictions; 60 months, also the statutory maximum, on his conviction of 18 U.S.C. § 371; and 300 months for his conviction of conspiracy to kill officers and employees of the United States in violation of 18 U.S.C. § 1117. All sentences were again ordered to be served concurrently.

6. *United States v. Donald Ray Morgan*, May 13, 2015, Middle District of North Carolina. Defendant Morgan traveled to Lebanon, and from there attempted to enter Syria to join, and fight for, ISIL. Upon his return to the United States, he was arrested at Kennedy Airport on a warrant for possession of a firearm by a felon. Defendant Morgan was sentenced to a total of 243 months of imprisonment by Judge Thomas D. Schroeder. 180 months, or fifteen years, of Morgan's sentence was allocated to Morgan's conviction of violating 18 U.S.C. § 2339B. This is the statutory maximum for a violation of 18 U.S.C. § 2339B. The balance of Morgan's sentence, 63 months, was allocated by Judge Schroeder to Morgan's firearms conviction.

7. *United States v. Michael Wolfe,* Western District of Texas, June 5, 2015. Defendant Wolfe attempted to travel to the Middle East to lend his support to ISIL. He admitted at his change of plea hearing that in preparation, he applied for and acquired a U.S. passport, participated in physical fitness training, practiced military maneuvers, concealed his preparations, and bought an airline ticket for travel to Europe, which he believed would be the first leg of a trip to the Middle East. Instead, he was arrested on the jetway at the Houston, Texas airport as he attempted to board a flight to Toronto, Canada. Judge Sam Sparks sentenced Wolfe to 82 months in prison.

8. *United States v. Leon Davis,* Southern District of Georgia, July 28, 2015. Defendant Davis was arrested at the Atlanta airport as he attempted to board a flight to Turkey. The defendant had been under investigation for more than a year before he was arrested, after the defendant communicated with ISIL members via social media. Judge J.

Randal Hall sentenced defendant Davis to fifteen years in prison, the statutory maximum for a violation of 18 U.S.C. § 2339B.

9. *United States v. Agron Hasbajrami*, Eastern District of New York, August 13, 2015. Defendant Hasbajrami was convicted of attempting and conspiring to provide material support to unspecified radical jihadist groups in Pakistan's Federally-Administered Tribal Areas. Defendant Hasbajrami also sent several wire transfers of funds abroad in support of terrorist organizations. On September 6, 2011, Hasbajrami was arrested at John F. Kennedy International Airport, as he attempted to board a flight to Turkey, from where he would have flown on to the Federally-Administered Tribal Areas. Judge John Gleeson of the Eastern District of New York sentenced Hasbajrami to 16 years in prison, followed by removal from the United States.

10. *United States v. Mohamed Hussain Said,* Southern District of Florida, August 28, 2015. This is a companion case to *United States v. Gufran Mohammed* (see number two above). Like defendant Gufran Mohammed, defendant Said also conspired to provide both money and recruits to al Qaeda, al Qaeda in Iraq, and al Shabaab. Judge Ursula Ungaro sentenced defendant Said to fifteen years' imprisonment, the statutory maximum.

11. *United States v. Ali Shukri Amin*, Eastern District of Virginia, August 28, 2015. Defendant Amin, who was 17 years old, used social media to provide material support to ISIL. Specifically, defendant Amin used Twitter to provide advice and encouragement to ISIL fighters. Judge Claude M. Hilton sentenced defendant Amin to 136 months in prison, followed by a lifetime of supervised release that will include monitoring of the defendant's online activities.

12. *United States v. Ming Quang Pham,* Southern District of New York, January 8, 2016. This case is factually quite different from the others in this report, and has a long procedural history. Defendant Pham was arrested in the United Kingdom on June 29, 2012, and extradited to the United States in February of 2015. Pham left his home in London to travel to Yemen in December 2010, where he planned an attack in the United Kingdom. While in Yemen he received military training, including training in bomb-making, from the designated terrorist organization al-Qaeda in the Arabian Peninsula ("AQAP"), and he contributed to al-Qaeda's *Inspire* magazine. Pham pleaded guilty to providing material support to AQAP, conspiring to receive military training from AQAP, and using a machine gun in furtherance of crimes of violence. He was sentenced by Judge Alison Nathan to a 40-year term of imprisonment.

13. *United States v. Mufid Elfgeeh,* Western District of New York, March 17, 2016. Defendant Elfgeeh attempted to recruit two people to join ISIL. The two people the defendant tried to recruit were working for the FBI. Elfgeeh assisted the two in obtaining passports, and gave them advice about how to travel to Syria in a way that would avoid detection by law enforcement. Elfgeeh also gave the individuals computer equipment which they were to take to Syria with them. Elfgeeh also was in contact with anti-Assad fighters who were surrounded in the Syrian city of Homs by Assad regime troops. Elfgeeh was able to put the commander of the surrounded soldiers in contact with ISIL leaders. After the commander of the surrounded soldiers pledged allegiance to ISIL, ISIL came to his assistance. Judge Elizabeth Wolford sentenced Elfgeeh to 270 months in prison. The defendant had pleaded guilty to two counts of providing material support to a designated

foreign terrorist organization, ISIL. Judge Wolford sentenced the defendant to the statutory maximum of 180 months on the first conviction, and a consecutive 90 months on the second conviction, for a total of 270 months' imprisonment.

14. *United States v. Alaa Saadeh,* District of New Jersey, May 10, 2016. Defendant Saadeh planned to travel overseas himself to join, and fight for, ISIL. The defendant also helped his brother successfully travel overseas for the same purpose. Judge Susan Wigenton sentenced Saadeh to 15 years in prison, the statutory maximum for a violation of 18 U.S.C. § 2339B.

15. *United States v. Nicholas Teausant*, Eastern District of California, June 7, 2016. Defendant Teausant was arrested near the Canadian border. He intended to cross into Canada, and from there make his way to the Middle East to join, and fight for, ISIL. Judge John A. Mendez sentenced Teausant to 12 years' imprisonment.

16. *United States v. Avin Marsalis Brown and Akba Jihad Jordan,* Eastern District of North Carolina, both on July 5, 2016. Defendants Brown and Jordan pleaded guilty to providing material support to terrorists, in violation of 18 U.S.C. § 2339A. Although both defendants spoke of the need to go overseas and wage jihad, neither was specific about joining or assisting any particular terrorist organization. Judge Louise W. Flanagan sentence Brown to 92 months' imprisonment, followed by five years' supervised release, while Jordan was sentenced to 108 months' imprisonment, also followed by five years' supervised release.

17. *United States v. Joseph Hassan Farrokh,* Eastern District of Virginia, July 15, 2016. Defendant Farrokh conspired with co-defendant Mahmoud Amin Elhassan (who

has not yet fully resolved the charges against him, either by plea or by trial) to travel to Syria, where they would join, and fight for, ISIL. Farrokh and Elhassan had numerous communications, using secure apps, about their plans. Farrokh was arrested as he went down the jetway to catch his flight.

18. *United States v. Adam Dandach,* Central District of California, July 25, 2016. Defendant Dandach attempted to fly from Santa Ana, California to Istanbul, Turkey to join ISIL. Judge James V. Selna sentenced Dandach to 15 years' imprisonment, the statutory maximum, for attempting to provide material support to a designated foreign terrorist organization, ISIL. The defendant was also sentenced to a concurrent sentence of ten years for lying on his passport application.

19. *United States v. Jaelyn Delshaun Young and Muhammad Oda Dakhlalla* Northern District of Mississippi, August 11, 2016 (defendant Young) and August 24, 2016 (defendant Dakhlalla). Defendant Young and her co-defendant/boyfriend, Muhammad Oda Dakhlalla, obtained passports and planned to fly to Istanbul via Amsterdam to offer their services to ISIL. On August 11, 2016, Judge Sharion Aycock sentenced Young to 144 months in prison. On August 24, 2016, Judge Aycock sentenced defendant Dakhlalla to 96 months in prison.

20. *United States v. Nader Salem Elhuzayel*, Central District of California, September 26, 2016. Defendant Elhuzayel and his co-defendant, Muhanad Badawi, used social media to discuss ISIL and terrorist attacks, expressed a desire to die as martyrs, and made arrangements for Elhuzayel to leave the United States to join ISIL. Elhuzayel also used social media to contact ISIL operatives and other ISIL supporters, including Elton

Simpson, one of the perpetrators of the May 3, 2015 attack in Garland, Texas, with whom Elhuzayel was in contact on the day of the attack. The two defendants carried out a significant bank fraud scheme to raise travel funds. The jury deliberated less than an hour before returning guilty verdicts against both defendants. At Elhuzayel's sentencing, Judge David O. Carter noted that Elhuzayel's lack of remorse made him "especially dangerous." Judge Carter then imposed a sentence on Elhuzayel of thirty years' imprisonment, followed by a lifetime of supervised release. On October 19, 2016, Judge Carter also sentenced Badawi to thirty years' imprisonment.

21. *United States v. Hasan R. Edmonds and Jonas M. Edmonds,* Northern District of Illinois, October 14, 2016. Defendant Hasan Edmonds was an enlisted member of the Illinois National Guard. He and his co-defendant and cousin, Jonas Edmonds, planned an attack on an Illinois National Guard base. Judge John Lee sentenced Hasan Edmonds to thirty years' imprisonment and Jonas Edmonds to 21 years' imprisonment. This was not a traveler case.

Defendant Name	District	Court File No.	Date of Sentencing	Sentence	Statute of Conviction	Plea/Trial	Organization
Sinh Nguyen	California, Central	2:13-CR-00736-JFW	June 30, 2014	156 months	18 USC § 2339B	Plea	Al-Qaeda
Gufran Mohammed	Florida, Southern	1:13-CR-20364-UU	December 17, 2014	180 months	18 USC § 2339B	Plea	Al Shabaab; Al-Qaeda; al-Nusrah Front
Shelton Bell	Florida, Middle	3:13-CR-00141-TJC-JRK	January 14, 2015	240 months	18 USC § 2339A	Plea	Ansar al-Sharia
Shannon Conley	Colorado	1:14-CR-00163-RM	January 23, 2015	48 months	18 USC § 371	Plea	ISIL
Sohiel Kabir	California, Central	5:12-CR-00092-VAP	February 23, 2015	300 months	18 USC § 2339A; 18 USC § 2339B; 18 USC § 371; 18 USC § 1117 (conspiracy to murder)	Trial	Al-Qaeda
Ralph DeLeon	California, Central	5:12-CR-00092-VAP	February 23, 2015	300 months	18 USC § 956; 18 USC § 2339A; 18 USC § 1117 (conspiracy to murder)	Trial	Al-Qaeda
Donald Ray Morgan	North Carolina, Middle	1:14-CR-00194-1 1:14-CR-00414-1	May 13, 2015	243 months	18 USC § 2339B and 18 USC § 922(g)(1)(possession of a firearm by a felon)	Plea	ISIL
Michael Wolfe	Texas, Western	1:14-CR-00213-SS	June 5, 2015	82 months	18 USC § 2339B	Plea	ISIL
Leon Davis	Georgia, Southern	1:15-CR-00059-JRH-BKE	July 28, 2015	180 months	18 USC § 2339B (attempt)	Plea	ISIL

Defendant Name	District	Court File No.	Date of Sentencing	Sentence	Statute of Conviction	Plea/Trial	Organization
Agron Hasbajrami	New York, Eastern	1:11-CR-00623-DLI	August 13, 2015	192 months	18 USC § 2339A and 18 USC § 371	Plea	Unclear; Hasbajrami expressed desire to travel to Pakistan to wage jihad, but did not specify a group
Mohammed Hussain Said	Florida, Southern	1:13-CR-20364-UU	August 28, 2015	180 months	18 USC § 2339B (conspiracy)	Plea	Al Shabaab; al-Nusrah Front; al-Qaeda in Iraq (predecessor of ISIL)
Ali Shukri Amin	Virginia, Eastern	1:15-CR-00164-CMH	August 28, 2015	136 months	18 USC § 2339B	Plea	ISIL
Ming Quang Pham	New York, Southern	12-CR-423 (AJN)	January 8, 2016	480 months	18 USC § 2339B; 18 USC § 2339D; 18 USC § 924(c)	Plea	Al-Qaeda in the Arabian Peninsula (AQAP)
Mufid Elfgeeh	New York, Western	6:14-CR-06147-EAW-JWF	March 17, 2016	270 months	18 USC § 2339B (2 counts)	Plea	ISIL
Alaa Saadeh	New Jersey	2:15-CR-558-SDW	May 10, 2016	180 months	18 USC § 2339B	Plea	ISIL
Nicholas Teausant	California, Eastern	2:14-CR-00087-JAM	June 7, 2016	144 months	18 USC § 2339B	Plea	ISIL

Defendant Name	District	Court File No.	Date of Sentencing	Sentence	Statute of Conviction	Plea/Trial	Organization
Avin Marsalis Brown	North Carolina, Eastern	15:14-CR-58-1FL	July 5, 2016	92 months (Notice of Appeal filed with the Fourth Circuit Court of Appeals on 7/13/2016) (non-ISIL case)	18 USC § 2339A (conspiracy)	Plea	None specified – Brown stated he wished to travel overseas to fight against unbelievers, but did not name a group
Akba Jihad Jordan	North Carolina, Eastern	5:14-CR-58-2FL	July 5, 2016	108 months	18 USC § 2339A	Plea	None specified – Jordan is a co-defendant of Brown, above
Adam Dandach	California, Central	8:14-CR-00109-JVS	July 25, 2016	180 months	18 USC § 2339B and 18 USC § 1542 (false statements in a passport application)	Plea	ISIL (please see discussion in text section regarding Dandach's sentence)
Joseph Hassan Farrokh	Virginia, Eastern	1:16-CR-20	July 15, 2016	102 months	18 USC § 2339B (attempt)	Plea	ISIL
Jaelyn Delshaun Young	Mississippi, Northern	1:15-CR-00098-0002-SA-DAS	August 11, 2016	144 months	18 USC § 2339B	Plea	ISIL
Muhammad Oda Dakhlalla	Mississippi, Northern	1:15-CR-00098-0001-SA-DAS	August 24, 2016	96 months	18 USC § 2339B	Plea	ISIL

Defendant Name	District	Court File No.	Date of Sentencing	Sentence	Statute of Conviction	Plea/Trial	Organization
Nader Salem Elhuzayel	California, Central	SA CR 15-0060	September 26, 2016	360 months	18 U.S.C. § 2339B; 1 count of conspiracy to provide material support, and 1 count of attempting to provide material support, plus 25 counts of bank fraud, in violation of 18 U.S.C.§ 1344	Trial	ISIL
Hasan R. Edmonds	Illinois, Northern	1:15-CR-149-1	October 14, 2016	360 months	18 U.S.C. §2339B(a)(1); Conspiring to providing material support or resources to designated terrorist organization; 18 U.S.C. Section (2339B)(a)(1); Attempting to provide material support to foreign terrorist organization	Plea	ISIL

Defendant Name	District	Court File No.	Date of Sentencing	Sentence	Statute of Conviction	Plea/Trial	Organization
Jonas M. Edmonds	Illinois, Northern	1:15-CR-00149-2	October 14, 2016	252 months	18 U.S.C. §2339B(a)(1); Providing material support or resources to designated terrorist organization; 18.U.S.C. §1001(a)(2); Making false statement to law enforcement officer	Plea	ISIL
Muhanad Elfatih M.A. Badawi	California, Central District	8:15-CR-00060-DOC	October 19, 2016	360 months	18 U.S.C. § 2339B; Conspiracy to provide material support or resources to a designated foreign terrorist organization; 18.U.S.C. §§ 2339B; Attempting to provide material support or resources to a designated foreign terrorist organization, aiding and abetting; 20 U.S.C. § 1097(a); Financial aid fraud	Trial	ISIL

Dated: November 1, 2016

Respectfully submitted,

ANDREW M. LUGER
United States Attorney

s/ John Docherty

BY: JOHN DOCHERTY
Assistant United States Attorney
Attorney Reg. No. 017516X

ANDREW R. WINTER
Assistant United States Attorney

JULIE E. ALLYN
Assistant United States Attorney